

## **CHAPTER 14 [OLD]**

### **ABSENTEE VOTING**

**REPEALED.** L 1970, c 26, §3.

## **CHAPTER 14 [NEW]**

### **PRESIDENTIAL ELECTIONS**

#### Part I. Presidential Short Ballot

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## **PART I. PRESIDENTIAL SHORT BALLOT**

**§§14-1 to 10 REPEALED.** L 1973, c 217, §4.

## **PART II. PRESIDENTIAL ELECTORS**

**§14-21 Nomination of presidential electors and alternates; certification; notification of nominees.** In each year when electors of president and vice president of the United States are to be chosen, each of the political parties or parties or groups qualified under section 11-113 shall hold a state party or group convention pursuant to the constitution, bylaws, and rules of the party or group; and nominate as candidates for its party or group as many electors, and a first and second alternate for each elector, of president and vice president of the United States as the State is then entitled. The electors and alternates shall be registered voters of the State. The names and addresses of the nominees shall be certified by the chairperson and secretary of the convention of the respective parties or groups and submitted to the chief election officer not later than 4:30 p.m. on the sixtieth day prior to the general election of the same year. The chief election officer upon receipt thereof, shall immediately notify each of the nominees for elector and alternate elector of the nomination. [L 1970, c 26, pt of §2; am L 1973, c 217, §4(b); am L 1981, c 100, §2(1); gen ch 1993]

**§14-22 Contested nominations of presidential electors and alternates.** If more than one certificate of choice and selection of presidential electors and alternate electors of the same political party or group is filed with the chief election officer, as chairperson of the contested presidential electors' committee hereby constituted, the chief election officer shall notify the state comptroller and attorney general, who are the remaining members of the committee, of the date, time, and place of the hearing to be held for the purposes of making a determination of which set of electors and alternative electors were lawfully chosen and selected by the political party or group. Notice of the hearing shall be given to the chairperson of the state central committee of each political party and the

chairperson of each party or group qualified under section 11-113, contestants for the positions of electors and alternate electors by written notice, and to all other interested parties by public notice at least once. A determination shall be made by the committee by majority vote not later than 4:30 p.m. on October 30 of the same year and the determination shall be final. Notice of the results shall be given to the nominees duly determined to have been chosen. The committee shall have all the powers enumerated in section 11-43. [L 1970, c 26, pt of §2; am L 1973, c 217, §4(c); am L 1981, c 100, §2(2); gen ch 1993; am L 1998, c 2, §7]

**§14-23 Time for election, number to be chosen.** In each presidential election year there shall be elected at large, at the general election, by the voters of the State, as many electors and alternates of president and vice president of the United States as the State is then entitled to elect, in the manner provided under section 11-113. The electors and the alternates must be registered voters of the State. The election shall be conducted and the results thereof determined in conformity with the laws governing general elections except as otherwise provided. [L 1970, c 26, pt of §2; am L 1977, c 189, §3]

**§14-24 Certificate of election, notice of meeting.** Not later than 4:30 p.m. on the last day in the month of the election, or as soon as the returns have been received from all counties in the State, if received before that time, the chief election officer shall certify to the governor the names of the presidential electors and alternates of the same political party or group as the candidates for president and vice president receiving the highest number of votes as elected as presidential electors and alternates. Thereupon the governor shall in accordance with the laws of the United States, communicate by registered mail under the seal of the State of Hawaii to the administrator of general services of the United States, the certificates of persons elected as presidential electors, setting forth the names of the electors and the total number of votes cast for each elector. The chief election officer shall thereupon, together with a notice of the time and place of the meeting of the electors, cause to issue and transmit to each elector and alternate a certificate of election signed by the governor in substantially the following form:

## **CERTIFICATE OF ELECTION OF PRESIDENTIAL ELECTORS**

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., 19....., duly elected a Presidential Elector for the State of Hawaii for the presidential election of 19.....

**CERTIFICATE OF ELECTION OF  
ALTERNATE PRESIDENTIAL ELECTOR**

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., 19....., duly elected.....Alternate Presidential Elector for Presidential Elector.....for the State of Hawaii for the presidential election of 19..... [L 1970, c 26, pt of §2; am L 1973, c 217, §4(d); am L 1981, c 100, §2(3)]

**§14-25 Duties of the governor.** On or before the day of the meeting of the electors the governor shall deliver to the electors a list of the names of electors, and the governor shall perform any other duties relating to the presidential electors which are required of the governor by laws of the United States. [L 1970, c 26, pt of §2; gen ch 1985]

**§14-26 Assembly of electors at state capital; time.** The electors chosen shall assemble at the state capital on the first Monday after the second Wednesday in December next following their election, at two o'clock in the afternoon. [L 1970, c 26, pt of §2]

**§14-27 Filling vacancies of presidential electors.** In case of the death or absence of any elector chosen, or if the number of electors is deficient for any other reason, the vacancy or vacancies shall be filled by the alternates in the order of their numerical designation for their respective electors causing the vacancy or vacancies, and in the event that vacancy or vacancies still exist, then the electors present shall select from the members of the same political party or group as many persons as will supply the deficiency. Certificates for the alternates or substitutes as presidential electors shall be issued by the governor. [L 1970, c 26, pt of §2; am L 1981, c 100, §2(4)]

**§14-28 Convening and voting for president and vice president; party vote.** The electors, when convened, if both candidates are alive, shall vote by ballot for that person for president and that person for vice president of the United States, who are, respectively, the candidates of the political party or group which they represent, one of whom, at least, is not an inhabitant of this State. [L 1970, c 26, pt of §2; am L 1981, c 100, §2(5)]

**§14-29 Naming persons voted for in ballots, separate ballots.** The electors shall name in their ballots the person voted for as president, and in separate ballots the person voted for as vice president. [L 1970, c 26, pt of §2]

**§14-30 Lists of persons voted for and number of votes, certification, transmission to president of the senate.** The electors shall separately list the persons voted for as president and as vice president, respectively, and the number of votes for each, which

lists they shall sign, certify, seal, and transmit by mail, one copy to the seat of the government of the United States, directed to the president of the senate of the United States, and make such other disposition of the lists as required by law. [L 1970, c 26, pt of §2]

**§14-31 Compensation and mileage of electors, amounts.** Each presidential elector shall receive \$50 for the elector's services, plus the reasonable cost of transportation from the elector's voting residence in the State to the state capital and return. Their accounts shall be certified to by the chief election officer and audited by the state comptroller, and shall be payable out of the general fund. [L 1970, c 26, pt of §2; gen ch 1985]